

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Confirmation No.: 3328
: :
Deborah BROWN et al. : Attorney Ref.: 112539
: :
Serial No.: 09/097,787 : Art Unit: 2654
: :
Filed: June 15, 1998 : Examiner: Patrick Edouard
: :
FOR: CONCISE DYNAMIC GRAMMARS USING N-BEST SELECTION

RENEWED PETITION UNDER 37 CFR 1.137(b)

**MAIL STOP: Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

Responsive to the Decision on Petition dated March 10, 2008 Petitioners provide herein additional information to establish further that the “entire” delay was unintentional. In fact, we shall show that the majority of the delay in this case was due to the Patent Office.

The above-identified application was originally filed by Kenyon & Kenyon in 1998. Several years later, in July 2002, AT&T Corp. transferred the application to the Law Office of Thomas M. Isaacson. Kenyon & Kenyon forwarded to AT&T Corp. the Final Office Action dated October 3, 2002 and a response was filed on February 4, 2003 by Petitioners’ new outside counsel at the Law Office of Thomas M. Isaacson. The Final Office Action was dated October 3, 2002 and that the Advisory Action, which was responsive to our communication on February 7, 2003 was not mailed by the Patent Office until June 3, 2005. Accordingly, while the Decision on Petition, on page 3, notes that the delay in responding was over three years and is described as “inordinate,” Petitioners respectfully request that the Office of Petitions also consider that the

Advisory Action was not even mailed until 28 months after we filed our response to the final office action.

AT&T Corp. unintentionally failed to file a change of correspondence address once the case was transferred to the Law Office of Thomas M. Isaacson. Thus the Advisory Action was mailed to former outside Counsel Kenyon & Kenyon and AT&T Corp. did receive notice of the Advisory Action until August 2006. Within approximately one month of finding out that the Application was abandoned, Applicants filed a Petition to Revive, Request for Continued Examination and an Amendment on September 7, 2006. On October 16, 2007, Petitioners filed a Request for Status and copies of the papers that were filed on September 7, 2006 along with an Information Disclosure Statement.

Therefore, Petitioners submit that the primary reason for the delay that is attributable to Petitioners was the inadvertent failure to file a change of correspondence address and that upon receiving notice that the application was abandoned, Petitioners have acted as quickly as possible (approximately one month from Petitioners' first notice) to revive the application and continue prosecution. The Patent Office delayed 28 months in responding to Petitioners' after final submission. Therefore, Petitioners respectfully submit that sufficient evidence is on the record to show that the entire delay is unintentional. We have no explanation from our current knowledge to explain why the Patent Office delayed 28 months in sending out the Advisory Action but from the standpoint of Petitioners, we did not intend for that portion of the delay period to occur.

Petitioners respectfully submit that they have now carried their burden to establish that the entire delay was unintentional and therefore respectfully request the granting of the present petition.

If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

By:  _____

Date: May 12, 2008

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